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C O N F I D E N T I A L SECTION 01 OF 03 DHAKA 000260

SIPDIS

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TAGS: [PGOV](#) [PREL](#) [PINR](#) [PTER](#) [KDEM](#) [BG](#)

SUBJECT: HOME MINISTER SIDE-LINED IN MUTINY INVESTIGATIONS

REF: A. DHAKA 254 AND PREVIOUS

[1](#)B. DHAKAR 120

Classified By: Ambassador James F. Moriarty, reasons 1.4 (b&d)

SUMMARY

[1](#)1. (C) The Prime Minister named the Commerce Minister March 11 to coordinate the ongoing investigations into the February 25 border guard mutiny. Based on a preliminary FBI assessment, the Ambassador told the Home Minister March 11 he had made an urgent request to Washington for follow-up assistance with the investigation. He stressed the importance of national unity and of transparency in the investigation process. The GOB is considering a parliamentary inquiry into the affair, according to the State Minister for Home Affairs. The State Minister was vague as to whether border guards were currently patrolling Bangladesh's borders and the Home Minister described her visit to BDR HQ the night of the mutiny. End summary.

COMMERCE MINISTER NAMED AS INVESTIGATIONS COORDINATOR

[1](#)2. (C) On March 11, the Prime Minister shifted overall responsibility for coordinating the BDR Mutiny inquiries and investigation to Commerce Minister Faruk Khan, possibly in response to criticism among many army officers of Khatun's handling of the mutiny. The opposition has continued to call for her resignation. An Embassy contact, Khan is a retired Army Colonel, which gives him credibility on the cantonment, and represents a constituency in the Prime Minister's home district Gopalganj. He is a fierce Hasina loyalist.

UPDATE ON FBI ACTIVITIES

[1](#)3. (C) At his first meeting with Home Minister Sahara Khatun and State Minister for Home Affairs Tanjim Ahmed Sohel Taj since the bloody border guard mutiny February 25-26, the Ambassador said he had made an urgent request to Washington to fund additional assistance for the ongoing investigation. He said the Delhi-based FBI advance team had made recommendations for further assistance based on their initial assessment visit March 9-12. Given the number of unsupported

conspiracy theories swirling around the incident, Bangladesh required a speedy, credible and transparent investigation, the Ambassador noted, adding that all parties should keep "an open mind" and not pre-judge results without evidence. The Ambassador urged close coordination among the three separate investigations underway (Ref A).

INVESTIGATIONS SHOULD BE TRANSPARENT; AL MISTRUST OF BNP

¶4. (C) Khatun thanked the Ambassador for USG support to the GOB since the incident and repeatedly reiterated her view that Prime Minister Sheikh Hasina had handled the incident "very wisely." Both Khatun and Taj acknowledged the need for a transparent and credible investigation.

¶5. (C) Bangladesh had been deprived of investigative closure on a number of catastrophic events, such as the 1975 murder of Sheikh Mujibur Rahman, the 2004 bombing that targeted Sheikh Hasina and the JMB-perpetrated bombings in 2005, State Minister Taj said. "If you can't get justice in monumental cases like this, how can the ordinary citizen expect justice? It is important that we get this right," he added. Noting that partisan politics had become more acrimonious since the mutiny, the Ambassador stressed the importance of national unity and the need for the country's two main parties to work together through this crisis. Taj said the GOB welcomed cooperation from the opposition but noted that the investigation seemed to be uncovering evidence of the previous BNP government's lack of vigilance over militancy - if not outright complicity with it - when it came to government appointments. "It was under the BNP government

DHAKA 00000260 002 OF 003

that militancy in Bangladesh got steam," he asserted.

A PARLIAMENTARY INQUIRY?

¶6. (C) The Ambassador noted that both opposition leader Khaleda Zia and Mohamed Ershad, leader of the AL-allied Jatiya Party, had called for an all-party parliamentary inquiry into the mutiny, and asked whether that was a possibility. "It has been raised and is definitely under consideration," Taj responded.

WHO IS PATROLLING THE BORDER?

¶7. (C) The Ambassador asked about the current status of border security, in particular whether the border guards were still patrolling. Taj responded vaguely, acknowledging this as a concern and adding that many commanding officers were not currently at their stations. He said the new BDR director general was looking into the issue and working to resolve it. The Ambassador asked whether there were plans for the future reconfiguration of the BDR, noting that the USG could offer support for this undertaking. Taj thanked the Ambassador for the offer and said the GOB would welcome any ideas or suggestions the USG might have.

HOME MINISTER VISITS MUTINY SITE

¶8. (C) The Ambassador asked Khatun about her widely-reported visit to BDR headquarters the night of February 25-26. She described her interactions with the mutineers -- 700 to 800 armed men, she said - including her repeated instruction to them to surrender. Her extended parleying with them was successful, and by the end of the night, "they came, one by one, and around one hundred surrendered their weapons," she said. Khatun said she remained at the HQ until 4am that night and returned at 3pm. She also described how during the night she insisted on being taken to captive family members of BDR officers, who were being held by the mutineers. Her persistence won out and she was able to bring out with her a

dozen or so civilian family members, including the daughter-in-law of the Inspector-General of Police. She described how she had rescued one army officer held by the mutineers. The mutineers initially refused to release him, claiming he had "tortured them." She said she told them she guaranteed, as the Home Minister, that she would have him properly tried. (Note: Although Khatun was widely criticized for her early public statements supportive of the mutineers and their grievances, she demonstrated great personal bravery in entering the BDR headquarters more than once while the mutiny was still unfolding. End note.)

GOB STILL TO DECIDE HOW TO TRY MUTINEERS

¶9. (C) State Minister Taj echoed recent public statements by the Law Minister and said that the GOB was still mulling over exactly how to try the mutineers. He claimed it was possible they would be court-martialled under Bangladesh's Army Act. (Note: According to media reports, the Army Act has a clause permitting the court-martialling of individuals causing harm to the Army. End note.)

STATUS OF WAR CRIMES TRIAL INITIATIVE

¶10. (C) Turning to the issue of war crimes, the Ambassador asked about the status of the GOB's pledge to pursue war crimes trials (Ref B). He mentioned briefly that DOJ might need assistance in gathering information about a Bangladeshi-American resident in the U.S. (Note: Based on allegations that he had been involved in war crimes during Bangladesh's independence war, DOJ is considering civil proceedings relating to the Amcit's immigration status, and not a war crimes case per se. End note.) The Ambassador also noted reports that airport officials had prevented some Bangladeshi nationals from traveling internationally -

DHAKA 00000260 003 OF 003

reportedly in connection with the war crimes issue - and emphasized that freedom of movement was an issue the U.S. monitored closely, given its vigilance on human rights. (Note: Most recently, airport officials twice prevented a prominent barrister and member of Jamaat-e-Islami (JI), against whom no cases are pending, from traveling to Malaysia. The JI leader told post March 9 that, following his appeal, the High Court issued an order requiring the government to allow him to travel. End note.) Taj explained that the war crimes issue was under consideration by the law ministry, which had yet to decide the exact form in which the GOB will pursue the issue.

COMMENT

¶11. (C) Taj, who was in the US during the mutiny, faced stinging criticism from the Prime Minister and others for not cutting his trip short and returning immediately. He was voluble in explaining to the Ambassador the causes that prevented his early return, including "a family issue," a relative undergoing heart surgery, and "a permanent neck injury" caused by a police rifle butt five years ago while "fighting for democracy." He appeared slightly unwell but, as usual, did most of the talking during the meeting, with the Minister seeming to defer willingly to him - possibly due to his stronger command of English.

¶12. (C) The appointment of Commerce Minister Faruk Khan as overall coordinator for investigations into the mutiny effectively sidelines Sahara Khatun in this affair and may be the Prime Minister's way of responding to criticism of Khatun. The Prime Minister reportedly has a very close personal bond with Khatun, and it remains to be seen what further action - if any - she will take with regard to the standing of either Khatun or Taj.

MORIARTY